



UNITED STATES PATENT AND TRADEMARK OFFICE

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Paper No. 12

LAFF WHITESEL & SARET LTD
401 NORTH MICHIGAN AVENUE SUITE 1700
CHICAGO, IL 60611

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FEB 27 2002

In re Application of
Bendiner
Reissue Application No. 09/721,586
Filed: November 22, 2000
Attorney Docket No.: 5565x4
For: PRESERVATIVE FOR ORGANIC
MATERIALS

:
:
:
: DECISION ACCORDING STATUS
: UNDER 37 CFR 1.47(b)
:
:

OFFICE OF PETITIONS

This is in response to the renewed petition under 37 CFR 1.47(b) filed January 8, 2002 (Certificate of Mailing date of November 5, 2001) and supplemented via facsimile on January 31, 2002.

The petition is **GRANTED**.

Petitioner has shown that the inventor Bernard Bendiner refused to join in the filing of the above-identified application after having been presented with the application papers.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be returned to the Office of Initial Patent Examination for issuance of a corrected filing receipt.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Alesia M. Brown at (703) 305-0310.

Beverly M. Flanagan
Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



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BERNARD BENDINER
326 WOODSEEDGE, STE. B
MICHIGAN CITY, IN 46360

In re Application of
Bendiner
Reissue Application No. 09/721,586
Filed: November 22, 2000
Attorney Docket No.: 5565x4
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LETTER

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OFFICE OF PETITIONS

Dear Mr. Bendiner:

You are named as the inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Alesia M. Brown at (703) 305-0310. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
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for Patent Examination Policy

CC: LAFF WHITESEL & SARET LTD
401 NORTH MICHIGAN AVENUE SUITE 1700
CHICAGO, IL 60611

INITIAL SCREENING OF INCOMING PAPERS CHECKLIST

Reviewer: K ChaseDate: 3-19-02APPLICATION NO. 09/721586

1. PETITION TYPE CODE

☐ R137(a) Petition-----501
☐ R137(a) Petition-----509
 (Issue Fee/Dwgs)
☐ R137(b) Petition-----502
☐ R137(b) Petition-----510
 (Issue Fee/Dwgs)
☐ R137(f) Petition-----536
☐ R182 Petition-----519
☐ R183 Petition-----503
☐ R378(b) Petition-----532
☐ R378(c) Petition-----533
☐ R377 Petition-----521
☐ R3.81(b) Petition-----523
☐ R181 Petition-----515
☐ R181 Petition-----504

PETITION TYPE CODE

☐ R28c Peition-----3
☐ R47 Petition-----3
☐ R53(e) Petition-----4
☐ R53 (R62 filing date)-----4
☐ R10 Petition-----4
☐ Lost Application-----4
☐ R78(a)(3) Petition-----535
☐ R78(a)(6) Petition-----535
☐ R55(c) Petition-----535
☐ R314 Petition-----508
☐ R55(a) Petition-----507
☐ Pet. W/D Abn-----525
☐ R705(b)/c-PTA-Bef iss---550
☐ R705(d) PTA-Aft iss-----551
☐ Other_____

2. LIST PAPERS FILED WITH PETITIONS

☐ PreAmdt/Amdt
☐ Filing Fees
☐ Reply/Arguments
☐ Election
☐ Notice of Appeal
☐ Brief (3)
☐ Reply Brief
☐ Declaration R132

☐ CPA
☐ RCE
☐ IDS
☐ 129(a) Submsn
☐ Issue Fee
☐ Drawings
☐ Oath/Decl & POA
☐ Ext Time ()

☐ Associate POA
☐ Terminal Disclaimer
☐ Change of Address
☐ Revocation/Poa
☐ Priority Documents
☐ Oath/Decl. & POA
☐ Rule 312 Amdt

Other Papers _____

3. Is paper a petition to withdraw holding of abandonment: yes no
 If so, send paper and/or file to appropriate location (Note: remove any flag set first):

- a. Nonreceipt of action from TC or assertion that reply was timely filed:
 Send paper to TC _____
 b. Nonreceipt of Missing Parts Notice or assertion that reply was timely filed:
 Send paper to DIRECTOR -OIKE - -CP2-7D25 (PH: 308-0910)
 c. Assertion of timely payment of issue fee and/or submission of drawings:
 Send petition to Office of Publications: ATTN: Tom Hawkins
 d. Other _____

4. Other: TC 1600 - please match

If not handled in Office of Petitions, send paper to appropriate location.

5. Is petition accompanied by assignment papers, fee address, or other paper which needs to be sent to another location? yes no If so, make copy of assignment papers, fee address, or other paper; mail original to proper location and place copy in file with an indication that the original paper(s) has been forwarded to the appropriate location (Assignment Branch; Maintenance Fee Division, etc.)

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MAR 15 2002

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MAR 21 2002

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